

REMARKS

Reconsideration is requested.

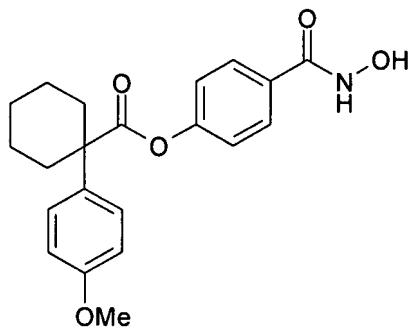
Claims 1-61 have been canceled, without prejudice. Claims 62-109 are pending.

Claims 62, 98, 99 and 100 have been amended, without prejudice, to advance prosecution. No new matter has been added.

The applicants elect the subject matter of the Examiner's Group I, defined by the Examiner as being "drawn to compounds". The subject matter of the Examiner's Group II is defined by the Examiner as being "drawn to methods of treatment".

Rejoinder and allowance of any claim defining a method of making and/or using a product defined by an allowable claim, at an appropriate time, are requested.

The applicants further elect the following compound in response to the Examiner's election of species requirement:



which is recited in claim 108 and identified in the disclosure as PX118478.

The Examiner's comment that the

"the claims shall be restricted [to the elected species] if no generic claim is finally held to be allowable.... Upon the allowance of a generic claim, applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37

FINN et al.
Appl. No. 10/542,281
Monday, September 10, 2007
Amendment

CFR 1.141." See page 3 of the Office Action dated August 9, 2007.

The Examiner is requested to contact the undersigned, preferably by telephone, if the Examiner believes it would be helpful to advance prosecution, to discuss generic coverage once the elected species is found to be free of the art.

Claims 62, 63, 65, 67, 68, 69, 71, 78, 80, 81, 82, 84, 87, 88, 89, 90, 91, 93, 94, 96, 97, 104, 105, 106, 107, 108 and 109 are believed to read on the elected species.

An early and favorable Action on the merits is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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